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2d Session }

HOUSE OF REPRESENTATIVES

{ REPORT  
{ No. 94-1447

OLYMPIC WINTER GAMES  
AUTHORIZATION ACT

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REPORT  
OF THE  
COMMITTEE OF CONFERENCE

ON

S. 2184

TO AUTHORIZE APPROPRIATIONS FOR THE WINTER  
OLYMPIC GAMES, AND FOR OTHER PURPOSES



AUGUST 31, 1976.—Ordered to be printed

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## OLYMPIC WINTER GAMES AUTHORIZATION ACT

AUGUST 31, 1976.—Ordered to be printed

Mr. STAGGERS, from the committee of conference,  
submitted the following

### CONFERENCE REPORT

[To accompany S. 2184]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2184) to authorize appropriations for the winter Olympic games, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

#### SHORT TITLE

*SECTION 1. This Act may be cited as the "Olympic Winter Games Authorization Act of 1976".*

#### FINDINGS

*SEC. 2. The Congress finds and declares that—*

*(1) it is desirable for Americans of present and future generations to be assured adequate outdoor recreational resources and wilderness areas;*

*(2) the XIII international Olympic winter games, which are to be held in the United States at Lake Placid, New York in 1980, will further an awareness and appreciation of indoor and outdoor recreational activities and of the need for preserving wilderness areas;*

*(3) amateur athletics and amateur athletic competition have contributed to the health and well-being of the Nation and, as the host country for the XIII international Olympic winter games, the United States has a unique opportunity to encourage*

(1)

participation in such activities by furnishing limited financial assistance to assure the availability of adequate facilities, resources, and support for the Olympic winter games;

(4) the Congress has pledged its cooperation and support in the successful fulfillment of the XIII international Olympic winter games; and

(5) the Federal financial assistance authorized by this Act is provided in recognition of the unique economic circumstances of the Lake Placid area and should not be considered as establishing a precedent for any future Federal financial assistance for international athletic competitions.

#### DEFINITIONS

SEC. 3. For purposes of this Act:

(1) The term "Olympic winter games" means the XIII international Olympic winter games to be held in 1980 at Lake Placid, New York.

(2) The term "Secretary" means the Secretary of Commerce.

(3) The term "winter games facilities" means existing or proposed winter sports and supporting facilities which are necessary to carry out the Olympic winter games, including—

- (A) a field house;
- (B) ski jumps;
- (C) skating ovals or arenas;
- (D) housing for athletes;
- (E) a winter sports arena;
- (F) administrative offices;
- (G) dressing rooms, equipment, and storage facilities;
- (H) a luge run;
- (I) parking facilities;
- (J) facilities for increased electrical power;
- (K) sanitary and water facilities; and
- (L) a scoreboard and other miscellaneous facilities.

#### FINANCIAL ASSISTANCE

SEC. 4. (a) GRANTS.—The Secretary shall provide financial assistance in the form of grants to—

(1) the Lake Placid 1980 Olympic Games, Incorporated, a not-for-profit corporation incorporated under the laws of the State of New York; or

(2) State, local, or other governmental agencies, for purposes of assisting in the planning, design, and construction or improvement of winter games facilities, and for purposes of land acquisition and legal and fiscal fees in connection with the Olympic winter games. Subject to the provisions of subsection (b) of this section, such grants shall be provided in such sums, at such times, and under such conditions as the Secretary considers necessary and appropriate.

(b) CONDITIONS.—The amount of any grant for a winter games facility under subsection (a) of this section shall be based initially on the estimated cost of such facility. If the actual cost of any winter games facility is less than such estimated cost, the difference may be applied to meet the excess cost of any other winter games facility. If



the actual cost of any winter games facility exceeds such estimated cost, plus any amounts applied to the excess cost under the preceding sentence, the Secretary shall not provide any grant for more than 50 percent of the remaining excess cost of such facility.

(c) *REVERSION*.—All revenues generated by the Olympic winter games in excess of actual costs shall revert to the Treasury of the United States in an amount not to exceed the total amount of funds appropriated under the authority of section 9 of this Act.

(d) *OTHER ASSISTANCE*.—The Secretary may provide financial assistance for projects related to the Olympic winter games under the authority contained in title I of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3131–3136). Any such assistance (1) shall not be subject to the requirements for a non-Federal matching share set forth in section 101(c) of such title, and (2) shall be excluded from the limitation on the amount available to any one State set forth in section 103 of such title.

#### ENVIRONMENTAL PROTECTION

*SEC. 5. In carrying out the provisions of this Act, the Secretary—*

(1) shall require that all winter games facilities for which Federal financial assistance is provided under this Act are planned, designed, and constructed or improved in a manner which is consistent in all respects with State laws, rules, regulations, and plans governing the use, management, and development of Adirondack Park;

(2) shall not, as a condition on the receipt of Federal financial assistance under this Act, require any modification in any such State law, rule, regulation, or plan; and

(3) shall take such action as may be necessary and appropriate to assure that all activities relating to the Olympic winter games are carried out in a manner designed to recognize the outdoor recreational and wilderness values of Adirondack Park and the Lake Placid area and meet the needs of the Olympic winter games.

#### CONTINUED PUBLIC USE

*SEC. 6. The Secretary, in coordination and consultation with State and local officials, shall take such action as may be necessary and appropriate to assure that all winter games facilities for which Federal financial assistance is provided under this Act are planned, designed, and constructed or improved in a manner which will provide maximum continued public use and benefit following the conclusion of the Olympic winter games.*

#### REPORTS

*SEC. 7. (a) INTERIM REPORTS*.—The Secretary shall, within 3 months after the end of fiscal year 1977 and within 3 months after the end of each of the 2 succeeding fiscal years, submit an interim report to the Congress and to the President on the progress of the planning, design, and construction or improvement of winter games facilities under this Act. Each such report shall summarize and evaluate the progress made in preparing for the Olympic winter games, and include any recommendations for any further Federal involvement which the Secretary considers necessary or appropriate.

(b) *FINAL REPORT.*—The Secretary shall, within 3 months after the conclusion of the Olympic winter games, submit a final report to the Congress and to the President containing a summary of all actions taken under this Act, including a description of the action taken under section 6 of this Act to assure the maximum continued public use of winter games facilities.

#### RECORDS AND AUDIT

SEC. 8. (a) *RECORDS.*—Each recipient of Federal financial assistance under this Act, whether directly or indirectly, shall keep such records as the Secretary shall prescribe, including—

(1) records which fully disclose (A) the amount and the disposition by such recipient of the proceeds of such assistance, (B) the total cost of the winter games facility or related project for which such assistance is given or used, (C) the amount of that portion of the cost of such facility or project supplied by other sources, and (D) an identification of such other sources; and

(2) such other records as will facilitate an effective financial audit.

(b) *AUDIT.*—Until the expiration of 3 years after the completion of the winter games facility or related project referred to in subsection (a) of this section, the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access, for purposes of audit and examination, to any books, documents, papers, and records of each recipient of Federal financial assistance under this Act which the Secretary or the Comptroller General considers relevant to such Federal financial assistance.

#### AUTHORIZATION OF APPROPRIATIONS

SEC. 9. (a) *GENERAL.*—There is authorized to be appropriated to the Secretary the sum of \$49,040,000 for purposes of providing grants under section 4(a) of this Act for the Olympic winter games.

(b) *ADMINISTRATION.*—There is authorized to be appropriated to the Secretary the sum of \$250,000 for the administration of this Act.

(c) *AVAILABILITY.*—Sums appropriated under this section are authorized to remain available until expended.

And the House agree to the same.

That the House recede from its amendment to the title of the Senate bill.

HARLEY O. STAGGERS,  
FRED B. ROONEY,  
BROCK ADAMS,  
RALPH H. METCALFE,  
JIM SANTINI,  
J. SKUBITZ,  
EDWARD R. MADIGAN,  
*Managers on the Part of the House.*  
WARREN G. MAGNUSON,  
TED MOSS,  
FRITZ HOLLINGS,  
TED STEVENS,  
JAMES BUCKLEY,  
*Managers on the Part of the Senate.*

## JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2184) to authorize appropriations for the winter Olympic games, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment to the text of the Senate bill struck out all of the Senate bill after the enacting clause and inserted a substitute, text, and the Senate disagreed to the House amendment. The other House amendment amended the title of the Senate bill.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House to the text of the Senate bill, with an amendment which provides a substitute text for both the Senate bill and the House amendment; and that the House recede from its amendment to the title of the Senate bill.

The differences between the text of the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by reason of agreements reached by the conferees, and minor drafting and clarifying changes.

### SHORT TITLE

#### *Senate bill*

No provision.

#### *House amendment*

The House amendment provided that this legislation may be cited as the "Olympic Winter Games Authorization Act".

#### *Conference substitute*

The conference substitute provides that this legislation may be cited as the "Olympic Winter Games Authorization Act of 1976".

### CONGRESSIONAL FINDINGS

#### *Senate bill*

The Senate bill contained Congressional findings declaring it to be in the long-term interest of the United States that the Federal Government contribute to the construction of the permanent, unique sports facilities for the XIII international Olympic winter games to be held in the United States at Lake Placid, New York, in 1980.

*House amendment*

The House amendment contained Congressional findings declaring that—

(1) it is desirable for present and future generations of Americans to be assured adequate outdoor recreational resources and wilderness areas;

(2) the XIII international Olympic winter games at Lake Placid in 1980 will further an awareness and appreciation of indoor and outdoor recreational activities and the need for preserving wilderness areas;

(3) the Congress has pledged cooperation and support in the successful fulfillment of the 1980 Olympic winter games; and

(4) financial assistance is provided under this legislation in recognition of the unique economic circumstances of the Lake Placid area and should not be considered a precedent for any future Federal assistance for international athletic competitions.

*Conference substitute*

The conference substitute is the same as the House amendment, except that a finding is added declaring that amateur athletics and amateur athletic competition have contributed to the health and well-being of the Nation, and that, as the host country for the Olympic winter games, the United States has a unique opportunity to encourage participation in such activities by furnishing limited financial assistance to assure the availability of adequate facilities, resources, and support for such games.

## FINANCIAL ASSISTANCE

*Senate bill*

The Senate bill authorized the Secretary of Commerce to make grants to the Lake Placid 1980 Olympic Games, Incorporated, a not-for-profit corporation of the State of New York, or any appropriate public authority, up to a total of \$28 million to finance 100 percent of the estimated cost of providing sports facilities necessary for the XIII winter Olympic games. It also provided that he could make additional grants not to exceed 50 percent of any cost over and above this amount attributable to increases in construction costs.

The Senate bill also required the Secretary to use authorities and funding presently and otherwise available to the maximum extent possible. Any assistance extended by the Secretary under title I of the Public Works and Economic Development Act of 1965 for grants under this legislation was excluded from the limitation of section 103 of that Act, relating to the limitation on the amount of money which could be made available to any State, and from the requirements of section 101(c) of that Act, relating to the requirements for a non-Federal matching share.

*House amendment*

The House amendment required the Secretary of Commerce to make grants to the Lake Placid 1980 Olympic Games, Incorporated, a not-for-profit corporation incorporated under the laws of the State of New York, or to State, local, or other public agencies, to provide sports facilities in connection with the XIII international winter Olympic games. Such grants were required to be provided in such sums, and under such conditions, as the Secretary considered necessary and ap-



appropriate, except that if the actual cost of any facility for which a grant was made exceeded the estimated cost, the Secretary could not provide Federal funds for more than 50 percent of the excess over the estimated cost.

The House amendment also provided that all revenues generated by the XIII Olympic winter games in excess of actual costs must revert to the Treasury of the United States in an amount not to exceed the total amount of funds appropriated under this legislation.

The House amendment contained two specific limitations on the amount of money authorized to be appropriated under this legislation. The first was an overall limitation of \$49,040,000 for purposes of providing grants to plan, design, and construct sports facilities for the 1980 Olympic winter games. The second was a limitation of \$250,000 for administrative expenses incurred by the Secretary in carrying out this legislation.

The amounts appropriated were authorized to remain available until expended.

#### *Conference substitute*

Under the conference substitute, the Secretary is required to make grants to the Lake Placid 1980 Olympic Games, Inc. (a not-for-profit corporation incorporated under the laws of the State of New York), or State, local, or other governmental agencies, for purposes of carrying out this legislation. It is clear that the Secretary may make grants to either or both of the eligible recipients.

The conference substitute follows the House amendment in placing an overall limitation of \$49,040,000 on the total amount of money authorized to be appropriated for the purpose of making grants for the 1980 Olympic winter games, and in providing an overall limitation of \$250,000 for the administrative expenses incurred by the Secretary in carrying out this legislation.

The conference substitute modifies both the Senate bill and the House amendment with respect to the limitation of 50 percent on the amount of Federal funds which can be used for grants to pay costs of sports facilities which exceed the estimated cost. Under the conference substitute, the grant is based initially on the estimated cost of the project. Any cost savings may be applied to the cost overruns of any other project. If any project exceeds such estimated costs, plus any cost savings applied to such project, the Secretary cannot make a grant for more than 50 percent of the remaining costs of such project. The total amount expended for all grants must remain within the overall \$49,040,000 limitation.

The conference substitute also modifies the Senate bill with respect to the mandatory use of existing authority and funding otherwise available to the Secretary. Under the conference substitute, the Secretary would be permitted, but not required, to use existing authority and funding otherwise available under title I of the Public Works and Economic Development Act of 1965 to carry out the provisions of this legislation. In any case in which assistance is extended by the Secretary under title I of the Public Works and Economic Development Act of 1965, such assistance would be excluded from the provisions of section 103 of that Act, relating to the limitation on the amount of money which may be granted to any State, and from the provisions of

section 101(c) of that Act, relating to the requirements for a non-Federal matching share.

#### TYPES OF FACILITIES

##### *Senate bill*

The Senate bill authorized the construction of sport facilities necessary for the winter games, specifically those facilities needed for speed skating, figure skating, 90-meter ski jump, and luge events.

##### *House amendment*

The House amendment authorized the construction of "necessary winter sports and supporting facilities" in connection with the winter games.

##### *Conference substitute*

The conference substitute is a combination of both the Senate bill and the House amendment. It provides for the planning, design, and construction or improvement of existing or proposed "winter games facilities" in connection with the XIII international Olympic winter games. The term "winter games facilities" is defined to include a field house, ski jumps, skating ovals or arenas, athletes' housing (including dining, laundry, and related supporting facilities), a winter sports arena, administrative offices, a luge run, parking facilities, facilities for increased electrical power, sanitary and water facilities, dressing rooms, equipment, storage facilities, and a scoreboard and other miscellaneous facilities. It also authorizes grants for land acquisition and legal and fiscal fees in connection with providing the necessary facilities.

It is not the intent of the conferees that the provision relating to maximum continued public use of facilities constructed for the winter games (taken from the House amendment and included in the conference substitute) be construed in any manner to preclude the construction of any necessary facilities for which there can be no such continued public use. It is, however, the intent of the conferees to preclude construction of facilities of the type used by the public media to provide coverage for such events, which facilities are not necessary to the staging of the games.

#### ENVIRONMENTAL PROTECTION

##### *Senate bill*

No provision.

##### *House amendment*

The House amendment required the Secretary, in carrying out the provisions of this legislation—

(1) to coordinate activities and plans for the 1980 Olympic winter games in order to assure that such plans and activities were consistent in all respects with State laws, rules, regulations, and plans governing the use, management, and development of Adirondack Park and that such activities and plans would not require any modification in any such State law, rule, regulation, or plan; and

(2) to take such action as might be necessary and appropriate to provide that all activities relating to the staging of the 1980 Olympic winter games would be carried out in a manner designed to assure the preservation and enhancement of the outdoor recre-

ational and wilderness values of Adirondack Park and the Lake Placid area.

*Conference substitute*

The conference substitute follows the House amendment with the following modifications:

First, the conference substitute provides that the Secretary shall require that all winter games facilities are planned, designed, and constructed or improved in a manner consistent with State laws, rules, regulations, and plans governing the use, management, and development of Adirondack Park.

Second, the conference substitute makes it clear that the Secretary cannot, as a condition to the receipt of financial assistance under this legislation, require any modification in any State law, rule, regulation, or plan.

Third, the conference substitute makes it clear that the Secretary is required to take whatever action may be necessary to provide that activities relating to the 1980 Olympic winter games will be carried out in a manner designed "to recognize" the outdoor recreational and wilderness values of Adirondack Park and the Lake Placid area and meet the needs of the Olympic winter games. As noted above, the House amendment originally required such activities to be carried out in a manner designed "to assure the preservation and enhancement" of such outdoor recreational and wilderness values. The conferees agreed that it would be impossible to preserve wilderness values absolutely while at the same time constructing an outdoor sports facility, although such construction may enhance outdoor recreational values. It is the intent of the conferees that the Secretary take such steps as may be necessary to preserve wilderness value to the maximum extent possible consistent with the provision of adequate sports facilities necessary for the 1980 Olympic winter games.

CONTINUED PUBLIC USE

*Senate bill*

No provision.

*House amendment*

The House amendment required the Secretary to take such action as may be necessary and appropriate, in consultation with State and local officials, to assure that all facilities designed and constructed with Federal assistance would be designed and constructed in a manner which would provide maximum continued public use and benefit following the completion of the 1980 Olympic winter games. Appropriate action could include a request by the Secretary for public comment with respect to maximum continued public use.

*Conference substitute*

The conference substitute is the same as the House amendment.

REPORTS

*Senate bill*

No provision.

*House amendment*

The House amendment required the Secretary to submit an interim report to the Congress on the progress of the design and construction

of facilities under this legislation, together with his recommendations, if any, for further Federal involvement to assure a successful staging of the Olympic winter games. The interim report was required to be submitted within 3 months after the end of fiscal year 1977 and again within 3 months after the end of each of the 2 succeeding fiscal years.

In addition, the Secretary was required to submit a final report to the Congress containing a summary of all activities undertaken by the Secretary under this legislation within 3 months after completion of the 1980 winter Olympic games.

*Conference substitute*

The conference substitute is the same as the House amendment, except that each report must be submitted to the President at the same time it is submitted to the Congress, and each interim report must summarize and evaluate the progress made toward preparing for the Olympic winter games.

RECORDS AND AUDIT

*Senate bill*

No provision.

*House amendment*

The House amendment required each recipient of financial assistance under this legislation to keep such records as the Secretary might prescribe disclosing the amount and disposition of the proceeds of any such assistance, the total cost of the project in connection with which the assistance was given, the amount supplied by other sources, an identification of such other sources, and such other records as might facilitate an effective audit. The House amendment also provided that the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, would have access for the purpose of audit and examination to any books and records of each recipient of financial assistance which, in their opinion, might be relevant to grants made under this legislation. Such authority would continue until the expiration of 3 years after the completion of the project with respect to which the grant was made.

*Conference substitute*

The conference substitute is the same as the House amendment.

HARLEY O. STAGGERS,  
FRED B. ROONEY,  
BROCK ADAMS,  
RALPH H. METCALFE,  
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